

Notice of Allowability

Application No.

10/628,290

Examiner

Thomas H. Parsons

Applicant(s)

VALLEE ET AL.

Art Unit

1795

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed 1 November 2007.
2. ☒ The allowed claim(s) is/are 15-20 and 25-44.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Response to Amendment

This is in response to the Amendment filed 1 November 2007.

(Previous) DETAILED ACTION

Claim Objections

1. The objection to claim 36 because of minor informalities has been **withdrawn** in view of Applicants' Amendment.

Claim Rejections - 35 USC § 103

2. The rejections of claims 15-16, 32-37, 18-19, 25-27, 29-31, 38-40, and 42-44 under 35 U.S.C. 103(a) as being unpatentable over Velasquez et al. (5,670,273) in view of Gustafson et al. (5,888,672) have been **withdrawn** in view of Applicants' Amendment.
3. The rejections of claims 17, 20, 28 and 41 under 35 U.S.C. 103(a) as being unpatentable over Velasquez et al. in view of Gustafson et al. as applied to claim 15 above, and further in view of Schutts et al. (6,136,476) have been **withdrawn** in view of Applicants' Amendment.

EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Steven Arnheim on 28 November 2007.

The application has been amended as follows:

Withdrawn claims 1-14 and 21-24 have been canceled.

5. The following is an examiner's statement of reasons for allowance:

The Applicants' arguments, see page 14, line 17 through page 18, line 17, with respect to independent claims 15, 18, 15, and 38 have been fully considered and found persuasive.

Accordingly, the claims are patentably distinct from the prior art references of record because the references failed to teach or suggest, alone or in combination, what is instantly claimed, in particular,

A process for manufacturing a battery, the process comprising, in part, preparing an electrolyte solution comprising a soluble polyimide, a lithium salt, and from about 10 % by weight to about 60 % by weight of solvent by first preparing a precursor electrolyte solution comprising about 70% to 95% solvent and thereafter partially drying the solution to evaporate a portion of the solvent. For this reason, independent claim 15 and claims 16, 17 and 32-37, which are dependent thereon, independent claim 25 and claims 26-31, which are dependent thereon, and independent claim 38 and claims 39-44, which are dependent thereon, are patentable distinct from the prior art references of record.

A process for manufacturing a battery, the process comprising, in part, preparing an electrolyte solution comprising a soluble polyimide, a lithium salt, and from about 70% by

weight to about 95% by weight of solvent, and drying the electrolyte solution to evaporate from 10% by weight to 80% by weight of the solvent to form an electrolyte separator comprising from about 10% by weight to about 60% by weight of solvent. For this reason, independent claim 18 and claims 19 and 20, which are dependent thereon, are patentable distinct from the prior art references of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Examiner Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas H. Parsons whose telephone number is (571) 272-1290. The examiner can normally be reached on M-F (7:00-3:30).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pat Ryan can be reached on (571) 272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
10/628,290
Art Unit: 1795

Page 5

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thomas H Parsons
Examiner
Art Unit 1795


STEPHEN KALAFUT
PRIMARY EXAMINER
GROUP 1700